

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,
v.

Case No. 07-CR-286

DOMINIQUE WATSON,

Defendant.

ORDER

On May 9, 2008, Dominique Watson was sentenced to one hundred thirty-five months imprisonment after pleading guilty to violations of 18 U.S.C. §§ 2113(a) & (d), and 18 U.S.C. § 2. Watson filed a notice of appeal (Docket #113) and a motion to appeal *in forma pauperis* (Docket #140). The pauper motion is currently before the court for review.

The federal *in forma pauperis* statute, 28 U.S.C. § 1915, is designed to provide indigent litigants with meaningful access to the federal courts. *Neitzke v. Williams*, 490 U.S. 319, 327 (1989). Section 1915, along with Rule 24 of the Federal Rules of Appellate Procedure, require a litigant to submit an affidavit to the court that includes the nature of the action, the litigant's belief of entitlement to redress, and the litigant's financial statements setting forth why he or she is unable to pay the costs of an appeal. 28 U.S.C. § 1915 (a)(1); Fed.R.App.P. 24 (a)(1). On November 13, 2008, the court received Watson's motion and accompanying affidavit. On

March 27, 2009, Watson's trial counsel filed an inmate account transaction statement for Watson's account at Terre Haute FCT (Docket #142). After reviewing these filings, the court is satisfied that Watson has met these procedural requirements, and that he is unable to meet the costs of commencing an appeal. Additionally, Watson's trial counsel has filed a Motion to Withdraw (Docket #136) and requested new counsel be appointed for Watson's appeal. This court recommends to the Court of Appeals that new counsel be appointed for Watson's appeal. See Cir.R. 51 (stating that "the court of appeals will appoint trial counsel as appellate counsel unless the district court informs the court of appeals that new counsel should be appointed").

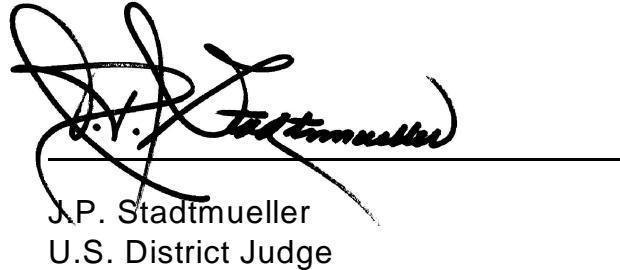
Accordingly,

IT IS ORDERED that Watson's motion for leave to proceed *in forma pauperis* on appeal (Docket #140) be and the same is hereby **GRANTED**; and

IT IS FURTHER RECOMMENDED that Watson be appointed new counsel on appeal.

Dated at Milwaukee, Wisconsin, this 31st day of March, 2009.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge